

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler  
v. : Crim. No. 10-633 (SRC)  
ANIA NOWAK and : ORDER  
ZBIGNIEW CICHY :  
:

This matter having come before the Court on the application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Matthew E. Beck and Shirley U. Emehelu, Assistant U.S. Attorneys), in the presence of defendant Ania Nowak (*pro se*) and defendant Zbigniew Cichy (Parker Wagaman, Esq., appearing) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendants being aware that they have the right to have the matter brought to trial within 70 days of the date of their appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Defendant Nowak, who is now *pro se*, needs additional time to prepare her defense; and

2. The United States intends to supersede the Indictment and needs additional time to subpoena and review records related to the additional charge(s); and

B. Both defendants need additional time to review and prepare their defense to the new charge(s) that will be raised in the superseding Indictment; and

1. The defendants having indicated that they intend to call a handwriting expert to testify at trial, the United States needs additional time to collect and analyze handwriting exemplars from the defendants; and

2. This case is sufficiently complex, due to the nature of the prosecution, that it is unreasonable to expect adequate preparation for pretrial proceedings and trial within the time limits established by Title 18, United States Code, Section 3161; and

3. The ends of justice served by granting the continuance of the trial date in this matter until August 9, 2011, outweigh the best interests of the public and the defendants in a speedy trial.

WHEREFORE, on this 13 day of May, 2011,

IT IS ORDERED that the trial date in this matter is continued until August 9, 2011, and that the period from May 17, 2011 through August 9, 2011 shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(7); and it is further

ORDERED that:

1. The United States shall present its superseding indictment, if any, to the Grand Jury for its consideration no later than June 17, 2011; and

2. Defendants shall comply with the expert witness disclosure requirements set forth under Rule 16(b) (1) (C) of the Federal Rules of Criminal Procedure by Thursday, May 19, 2011; and

3. Defendant Cichy, having agreed to provide handwriting exemplars to the United States, shall meet with representatives of the United States at the U.S. Attorney's Office in Newark, New Jersey at a time requested by the United States; and

4. The United States shall serve any subpoena seeking handwriting exemplars from defendant Ania Nowak, pursuant to Rule 17(c) of the Federal Rules of Criminal Procedure, as well as a motion to comply with that subpoena by close of business on Wednesday, May 11, 2011; and

5. If, after collection and analysis of the defendant(s)' handwriting exemplars, the United States seeks to call a handwriting expert to testify at trial, the United States shall promptly provide the required Federal Rule of Criminal Procedure 16(a) (1) (G) expert disclosures; and

6. Trial shall commence on August 9, 2011 at 9:30 a.m.



HON. STANLEY R. CHESLER  
United States District Judge